



## FAX TRANSMITTAL SHEET

Motorola, Inc.  
Intellectual Property Section  
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12 Number of Pages (Including this page)

Date: November 30, 2004

To: Examiner Ware, Cicely Q. – Group 2634

Location: United States Patent and Trademark Office

Fax No.: 703-872-9306

From: Lalita W. Pace (Registration No. 39,427)

Subject: Serial No. 09/767,050 –Colin D. Frank

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## MESSAGE:

Enclosed herewith, please find a RESPONSE Office Action for filing in the below-identified application.

**PLEASE GIVE THESE PAPERS TO:**

EXAMINER:	Ware, Cicely Q.
GROUP ART UNIT:	2634
SERIAL NO.:	09/767,050
FILED:	January 22, 2001
INVENTOR:	Colin D. Frank
ATTORNEY DOCKET NO.:	CE08703R

PTO/SB/21 (08-00)

<b>TRANSMITTAL FORM</b> <small>(to be used for all correspondence after initial filing)</small>		Application Number	09/767,050
		Filing Date	January 22, 2001
		First Named Inventor	Colin D. Frank
		Group Art Unit	2634
		Examiner Name	Ware, Cicely Q.
Total Number of Pages in this Submission	4	Attorney Docket Number	CE08703R

**ENCLOSURES**

(check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-Related papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/Declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter with appropriate copies
<input checked="" type="checkbox"/> Extension of time Request	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Response to Restriction Requirement
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	<input type="checkbox"/> Associate Power of Attorney
<input type="checkbox"/> Certified Copy of Priority Documents	<input type="checkbox"/> CD, Number of CDs	<input type="checkbox"/> RCE
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Copy of Notice to File Missing Parts	
<input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Transmittal of Formal Drawings	
<input type="checkbox"/> Response to Notice of Non- Recordation of Document		
Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

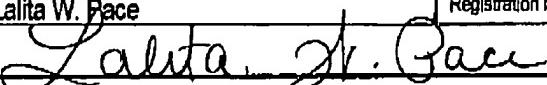
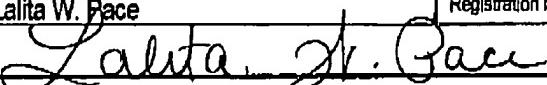
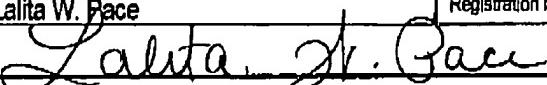
Firm or Individual	Lalita W. Pace	Registration No.	39,427
Signature			

Date November 30, 2004

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Typed or printed name	Nanette Orr	Date	November 30, 2004
Signature			

<b>FEE TRANSMITTAL</b> <small>Patent fees are subject to annual revision</small>				<b>Complete If Known</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td colspan="3">09/767,050</td> </tr> <tr> <td>Filing Date</td> <td colspan="3">January 22, 2001</td> </tr> <tr> <td>First Named Inventor</td> <td colspan="3">Colin D. Frank</td> </tr> <tr> <td>Examiner Name</td> <td colspan="3">Ware, Cicely Q.</td> </tr> <tr> <td>Group Art Unit</td> <td colspan="3">2634</td> </tr> <tr> <td>TOTAL AMOUNT OF PAYMENT</td> <td colspan="3" style="text-align: center;">(\$)</td> <td>Attorney Docket No.</td> <td colspan="3">CE08703R</td> </tr> </table>				Application Number	09/767,050			Filing Date	January 22, 2001			First Named Inventor	Colin D. Frank			Examiner Name	Ware, Cicely Q.			Group Art Unit	2634			TOTAL AMOUNT OF PAYMENT	(\$)			Attorney Docket No.	CE08703R																																																																																																																																																																	
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<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:</p> <p>Deposit Account Number <span style="border: 1px solid black; padding: 2px;">50-2117</span></p> <p>Deposit Account Name <span style="border: 1px solid black; padding: 2px;">Motorola, Inc.</span></p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee required under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>				<p><b>3. ADDITIONAL FEES</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;">Large Entity Fee Code (\$)</th> <th style="width: 20%;">Fee (\$)</th> <th style="width: 20%;">Small Entity Fee Code (\$)</th> <th style="width: 20%;">Fee (\$)</th> <th style="width: 40%;">Fee Description</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late Provisional filing</td></tr> <tr><td>1053</td><td>130</td><td>2053</td><td>130</td><td>Non-English specification</td></tr> <tr><td>1812</td><td>2520</td><td>1812</td><td>2520</td><td>For filing a request for ex parte Reexamination</td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>1805</td><td>1840*</td><td>1805</td><td>1840*</td><td>Requesting publication of SIR after Examiner action</td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td></tr> <tr><td>1252</td><td>420</td><td>2252</td><td>205</td><td>Extension for reply within second month</td></tr> <tr><td>1253</td><td>930</td><td>2253</td><td>485</td><td>Extension for reply within third month</td></tr> <tr><td>1254</td><td>1450</td><td>2254</td><td>725</td><td>Extension for reply within fourth month</td></tr> <tr><td>1265</td><td>1970</td><td>2255</td><td>985</td><td>Extension for reply within fifth month</td></tr> <tr><td>1401</td><td>320</td><td>2401</td><td>150</td><td>Notice of Appeal</td></tr> <tr><td>1402</td><td>320</td><td>2402</td><td>150</td><td>Filing a brief in support of an appeal</td></tr> <tr><td>1403</td><td>280</td><td>2403</td><td>140</td><td>Request for oral hearing</td></tr> <tr><td></td><td></td><td></td><td></td><td>Petition to institute a public use proceeding</td></tr> <tr><td>1451</td><td>1510</td><td>1451</td><td>1510</td><td>Petition to revive - unavoidable</td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unintentional</td></tr> <tr><td>1453</td><td>1300</td><td>2453</td><td>650</td><td>Utility issue fee (or reissue)</td></tr> <tr><td>1501</td><td>1300</td><td>2501</td><td>650</td><td>Design issue fee</td></tr> <tr><td>1502</td><td>470</td><td>2502</td><td>235</td><td>Plant issue fee</td></tr> <tr><td>1503</td><td>630</td><td>2503</td><td>315</td><td>Petitions to the Commissioner</td></tr> <tr><td>1480</td><td>130</td><td>1480</td><td>130</td><td>Processing fee under 37 CFR 1.17(q)</td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Submission of IDS</td></tr> <tr><td>1808</td><td>180</td><td>1808</td><td>180</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td></td></tr> <tr><td>1809</td><td>760</td><td>2809</td><td>375</td><td></td></tr> <tr><td>1810</td><td>750</td><td>2810</td><td>375</td><td></td></tr> <tr><td>1801 (RCE)</td><td>750</td><td>2801</td><td>375</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>Request for expedited examination</td></tr> <tr><td colspan="4" style="text-align: right;"><small>* OR NUMBER PREVIOUSLY PAID, IF GREATER THAN STANDARD ALLOWANCE. *For Reissues, see above</small></td><td colspan="4" style="text-align: right;"><small>* Reduced by Basic Filing Fee paid      SUBTOTAL (3) (\$)</small></td></tr> <tr> <td colspan="4" style="text-align: center; padding: 5px;"> <b>SUBMITTED BY</b> </td> <td colspan="4" style="padding: 5px; text-align: center;"> <b>Complete (if applicable)</b> </td> </tr> <tr> <td>Name (Print/Type)</td> <td colspan="3">Lalita W. Pace</td> <td>Registration No.</td> <td>39,427</td> <td>Telephone</td> <td>847-538-5855</td> </tr> <tr> <td>Signature</td> <td colspan="3"></td> <td>Date</td> <td colspan="3">November 30, 2004</td> </tr> </tbody></table>				Large Entity Fee Code (\$)	Fee (\$)	Small Entity Fee Code (\$)	Fee (\$)	Fee Description	1051	130	2051	65	Surcharge - late filing fee or oath	1052	50	2052	25	Surcharge - late Provisional filing	1053	130	2053	130	Non-English specification	1812	2520	1812	2520	For filing a request for ex parte Reexamination	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	1805	1840*	1805	1840*	Requesting publication of SIR after Examiner action	1251	110	2251	55	Extension for reply within first month	1252	420	2252	205	Extension for reply within second month	1253	930	2253	485	Extension for reply within third month	1254	1450	2254	725	Extension for reply within fourth month	1265	1970	2255	985	Extension for reply within fifth month	1401	320	2401	150	Notice of Appeal	1402	320	2402	150	Filing a brief in support of an appeal	1403	280	2403	140	Request for oral hearing					Petition to institute a public use proceeding	1451	1510	1451	1510	Petition to revive - unavoidable	1452	110	2452	55	Petition to revive - unintentional	1453	1300	2453	650	Utility issue fee (or reissue)	1501	1300	2501	650	Design issue fee	1502	470	2502	235	Plant issue fee	1503	630	2503	315	Petitions to the Commissioner	1480	130	1480	130	Processing fee under 37 CFR 1.17(q)	1807	50	1807	50	Submission of IDS	1808	180	1808	180		8021	40	8021	40		1809	760	2809	375		1810	750	2810	375		1801 (RCE)	750	2801	375		1802	900	1802	900						Request for expedited examination	<small>* OR NUMBER PREVIOUSLY PAID, IF GREATER THAN STANDARD ALLOWANCE. *For Reissues, see above</small>				<small>* Reduced by Basic Filing Fee paid      SUBTOTAL (3) (\$)</small>				<b>SUBMITTED BY</b>				<b>Complete (if applicable)</b>				Name (Print/Type)	Lalita W. 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Amendment

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Frank, Colin, et al.

EXAMINER: Ware, Cicely CENTRAL FAX CENTER

SERIAL NO.: 09/767,050

GROUP: 2634

NOV 30 2004

FILED: JANUARY 22, 2001

CASE NO.: CE8703R

TITLED: MMSE RECEPTION OF DS-CDMA WITH TRANSMIT  
DIVERSITY

Motorola, Inc.  
Corporate Offices  
1303 E. Algonquin Road  
Schaumburg, IL 60196

November 21, 2004

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on	November 30, 2004
Motorola, Inc.	Date
Name of applicant, assignee, or Registered Representative	
Signature	

AMENDMENT UNDER 37 C.F.R. § 1.111

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

Responsive to the Office Action mailed June 1, 2004, Part of Paper No. 2,  
and Examiner's comments with regard thereto, please enter the following  
remarks in the above-entitled application, without prejudice or disclaimer.